

Explanatory Memorandum

Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] –Additional South East Queensland Regional Plan 2017 (SEQRP) Sites and Other Zoning Matters

Post notification ministerial review version

November 2021



1. Short title

The amendment instrument to which this explanatory memorandum relates is the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]* relating to additional *South East Queensland Regional Plan 2017* (SEQRP) sites and other zoning matters.

2. Type of local planning instrument

The proposed amendment to the Sunshine Coast Planning Scheme 2014 constitutes a 'major amendment' in accordance with Schedule 1 of the Minister's Guidelines and Rules (July 2017) made under the Planning Act 2016.

3. Entity making the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]

The entity making the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] is the Sunshine Coast Regional Council.

4. Land affected by the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]

The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] applies to land described in **Table 4.1**.

Table 4.1 Land affected by the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment No. [to be inserted]

Site ID	Property Description	Address	Ownership Category	Map of Subject Land
Chevallum North	Lot 6 on RP845421 Lot 18 on SP313573	23 – 25 and 31 Sunridge Farm Road, Chevallum	Private	
Chevallum South	Former Lot 3 on RP57951	521 Chevallum Road, Chevallum	Private	chovatum

Site ID	Property Description	Address	Ownership Category	Map of Subject Land
Forest Glen	Lot 2 on SP313571	7172 Bruce Highway, Forest Glen	Private	
Landsborough South	Lot 1 on RP171420 Lots 1 and 2 on SP217050 Lots 1 and 2 on RP213979 Lots 2-4 on RP183962 Lot 1 on RP185758 Lot 1 on RP171421 Lots 1-3 on RP180992	46, 47, 52, 57, 62, 63, 66, 69, 75, 77, 79 and 81 Hardwood Road, Landsborough; and 10 White Gums Street, Landsborough	Private	
Yandina North- East	Lots 2 and 13 on RP913584 Lot 4 on RP810295 Lots 2, 5 and 7 on SP101470 Lot 4 on RP208301	1, 20 and 28 Ninderry Road, BRIDGES 7 Lalor Road, YANDINA Bruce Highway, YANDINA Ninderry Road, BRIDGES	Private and State of Queensland	
Yandina North	Lots 224 and 225 on C311561 Lots 293 and 294 on C311603 Lots 299, 300, 301, 302 on C311641 Lot 342 on CG356	35-53, 55-73, 75– 93, Brandons Road, YANDINA. 47 -69, 81 Steggalls Road, YANDINA. 14 Browns Creek Road, YANDINA. 96 Cooloolabin Road, YANDINA	Private	

5. Purpose of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]

The purpose of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] is to:-

- (a) make zoning changes and local plan area boundary changes relating to specific sites, in order to:
 - respond to changes to the urban footprint under the South East Queensland Regional Plan 2017;
 and
 - (ii) better reflect existing development approvals or desired future land uses;
- (b) amend local plan provisions, where relevant, to provide more detailed planning outcomes in response to zoning and local plan area boundary changes; and
- (c) amend the growth management boundaries to reflect zoning and local plan area boundary changes.

Reasons for the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]

Council has prepared the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] to respond to changes to the urban footprint under the South East Queensland Regional Plan 2017 and to reflect the desired future use of land. The sites included in this amendment were part of a review process to determine which additional sites are suitable for inclusion in an urban zone at this time. In addition, a small number of other sites not related to changes to the urban footprint are included in this amendment to better reflect existing and approved land uses.

7. Details of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]

The details of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] are outlined in Table 7.1 below and Appendix 1.

Table 7.1 provides a summary of those aspects of the proposed amendment relating to assessment benchmarks.

Appendix 1 – Details of Proposed Amendment (Site Specific) provides further details on the site specific aspects of the proposed amendment.

Table 7.1 Summary of proposed amendment relating to assessment benchmarks

Planning Scheme Part	Summary of Amendment	
Part 7 (Local Plans)	Amend the Forest Glen/Kunda Park/Tanawha local plan code, as follows:	
	Amend the Forest Glen/Kunda Park/Tanawha Local Plan Elements Figure, as detailed in Appendix 1 .	
Part 7 (Local Plans)	Amend the Landsborough local plan code, as follows:	
	Include new or amended performance outcomes and acceptable outcomes for the proposed additional Low density residential zoned land in Precinct LAN LPP-2 (Landsborough Town East) in relation to lot sizes, nominating secondary dwelling and dual occupancy lots and ecological protection and connectivity requirements.	
	Amend the Landsborough Local Plan Elements Figure, as detailed in Appendix 1.	
Part 7 (Local Plans)	Amend the Yandina local plan code, as follows:	
	Include a new overall outcome relating to the proposed Community facilities zoned land south of Brandons Road to ensure development is master	

Planning Scheme Part	Summary of Amendment
	planned, compatible with rural town character and provides an appropriate transition to adjacent rural areas.
	 Include new performance outcomes and acceptable outcomes for the proposed Low density residential zoned land north of Steggalls Road in relation to lot sizes, provision of pedestrian and cycle access, provision of necessary road network upgrades to service development and a requirement to provide appropriate landscape buffering and separation to rural land.
	 Include new performance outcomes relating to the proposed Community facilities zoned land south of Brandons Road to require development of the site to be master planned, protective of environmental features, compatible with rural town character and provide appropriate buffering and separation to rural land.
	 Include a new performance outcome and acceptable outcomes relating to development at 1 Ninderry Road, Bridges (Lot 2 on RP913584), specific to a Warehouse use (where for <i>caravan and boat storage</i>), requiring development to be temporary in nature and not impact on the rural character and scenic amenity of the locality.
	Amend the Yandina Local Plan Elements Figure, as detailed in Appendix 1.

8. Compliance with the Planning Act 2016

In accordance with the Minister's Alignment Amendment Rules, the Sunshine Coast Planning Scheme 2014 was amended for alignment with the Planning Act 2016 on 3 July 2017. The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] does not materially affect this compliance.

The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] has been prepared in accordance with:-

- (a) Section 20 (Amending planning schemes under the Minister's rules) of the *Planning Act 2016*; and
- (b) Minister's Guidelines and Rules (July 2017) made under the Planning Act 2016.

9. Compliance with State planning instruments

At the time of the gazettal of the Sunshine Coast Planning Scheme 2014 in May 2014, the Minister identified that the South East Queensland Regional Plan 2009-2031 and the State Planning Policy were appropriately reflected in the planning scheme.

A new State Planning Policy (SPP) commenced on 3 July 2017 and a new Regional Plan, *ShapingSEQ South East Queensland Regional Plan 2017*, was released on 11 August 2017.

The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] does not adversely affect the planning scheme's compliance with State planning instruments.

A review of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] has confirmed that the proposed amendment complies with the relevant aspects of the State planning instruments. In accordance with Schedule 3 (Required Material) of the Minister's Guidelines and Rules, particular aspects of the proposed amendment that have been identified as potentially relevant to State planning instruments are detailed in **Table 9.1** below.

Table 9.1 Compliance with State planning instruments

Aspect of Proposed Amendment	State Interest	Summary of Compliance
All site specific amendments	South East Queensland Regional Plan 2017	The subject sites are all currently included in the Urban footprint regional land use category under the South East Queensland Regional Plan 2017. The proposed zoning changes are consistent with the intent of the South East Queensland Regional Plan 2017 as they will provide for additional urban land supply within the Urban footprint.
All site specific amendments	State Planning Policy July 2017 – Planning for liveable communities and housing	The proposed amendment will provide for additional urban development to accommodate population growth, in a variety of locations, whilst also preserving the prevailing character of each site's setting and providing for high levels of amenity and access to services, facilities and recreational opportunities.
All site specific amendments	State Planning Policy July 2017 – Planning for economic growth	The proposed amendment provides for logical extensions to existing urban areas of the Sunshine Coast and supports economic growth of the region.
All site specific amendments	State Planning Policy July 2017 – Planning for the environment and heritage	The subject sites are currently included in the Urban footprint under the South East Queensland Regional Plan 2017. The proposed amendment is consistent with the intent of the South East Queensland Regional Plan 2017 as it will provide predominantly for additional urban land supply. Areas of significant environmental value will be protected through appropriate zoning, local plan
		provisions and existing overlays. The amendment has no material effect on the cultural heritage values of the Sunshine Coast.
All site specific amendments	State Planning Policy July 2017 – Planning for safety and resilience to hazards	The proposed sites have been reviewed for safety and resilience to hazards and are considered suitable for inclusion in an urban zone, subject to site specific constraints being addressed through existing overlays or, where necessary, local plan provisions.
All site specific amendments	State Planning Policy July 2017 – Planning for infrastructure	The subject sites are logical extensions to existing urban areas that are capable of being efficiently serviced with extension to existing services. Further, the proposed scale of development is not likely to have significant impacts on existing services and facilities.

10. Consultation with government agencies

During the preparation of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]*, Council officers consulted, initially, with representatives from the former Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) to discuss the proposed amendment on 7 March 2019.

A briefing was then provided to representatives of the following agencies on 2 April 2019:

- Department of State Development, Manufacturing, Infrastructure and Planning;
- Department of Environment and Science;
- Department of Natural Resources, Mines, and Energy;
- Department of Agriculture and Fisheries;
- Department of Public Housing and Works; and
- Queensland Police Service.

In accordance with the *Planning Act 2016* and the *Minister's Guidelines and Rules (July 2017)*, Council sent a copy of the proposed amendment to the Planning Minister on 3 June 2019, for formal consideration of State interests and to seek approval for Council to proceed to public consultation.

11. Compliance with state imposed conditions

Council received approval from the Planning Minister by letter dated 13 May 2020, that Council may commence public consultation, subject to the following condition:

- 1. The council must remove the following sites from the proposed amendment:
 - (a) Landsborough North:
 - Lot 10 on RP144551;
 - Lot 1, 2, 3 and 4 on RP196184;
 - Lot 1 and 2 on RP186673:
 - Lot 4 and 5 on RP196179;
 - Lot 1 and 2 on RP204823;
 - Lot 259 on CG840; and
 - Lot 257 and 258 on SP280929.
 - (b) Yandina North
 - Lot 937 on C311485.

The proposed amendment has been changed prior to public consultation to comply with the above Ministerial condition.

12. Public consultation

On 13 May 2020, Council received advice from the Planning Minister that it may proceed to public consultation, subject to conditions. Public consultation on the proposed planning scheme amendment was required to be undertaken for a minimum of 20 business days, in accordance with the *Minister's Guidelines and Rules*. The proposed planning scheme amendment was placed on formal public consultation for 25 business days from 2 November to 4 December 2020 (inclusive).

The consultation and communication strategy implemented during the public consultation period involved the following:-

- a public notice published in the Courier Mail (including the on-line version of the Sunshine Coast Daily) on 31 October 2020;
- written notice (letters and emails[ST1][RS2]) sent prior to the public consultation period to affected and
 adjoining land owners, which included information sheets about the proposed amendment;
- release of an industry newsflash issued to all regular planning scheme users and community members that have previously expressed an interest in receiving information about planning scheme and development matters;

- a copy of the public notice, amendment documentation and information sheets made available at all Council offices and on Council's website;
- dedicated web page on Council's 'Have Your Say' webpage, including a copy of the public notice, amendment documentation, information sheets and an online submission form;
- briefings to key stakeholders, including Organisation Sunshine Coast Association of Residents (OSCAR) and affiliates (e.g. Sunshine Coast Environment Council [ST3] [RS4] (SCEC)), Urban Development Institute of Australia (UDIA), Bli Bli Community Association and Yandina and District Community Association; and
- various phone, email and counter enquiries.

13. Consideration of public submissions

In accordance with the *Minister's Guidelines and Rules*, following public consultation, Council must consider every properly made submission about the proposed amendment, and may consider other submissions.

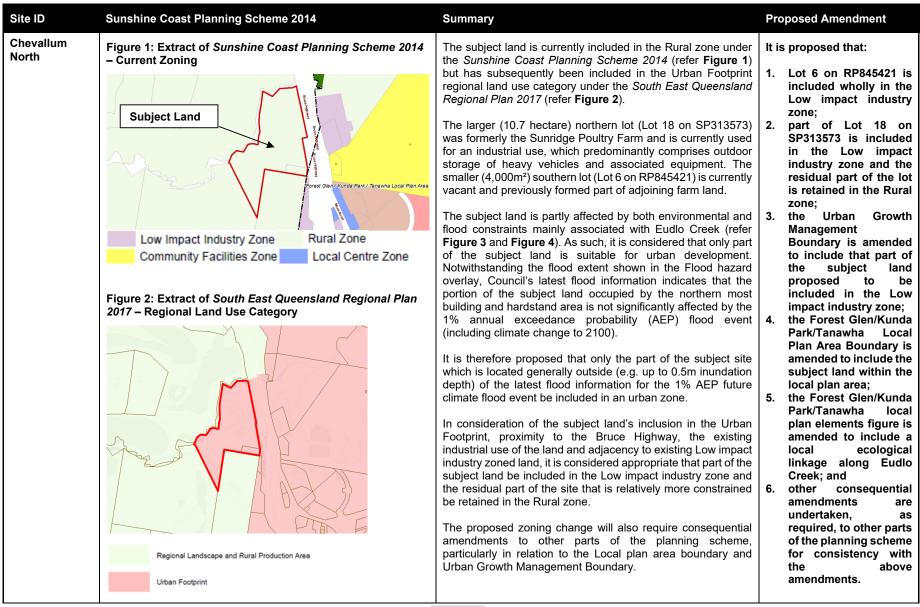
A total of 678 submissions were received in relation to the proposed planning scheme amendment. Of the total number of submissions received:

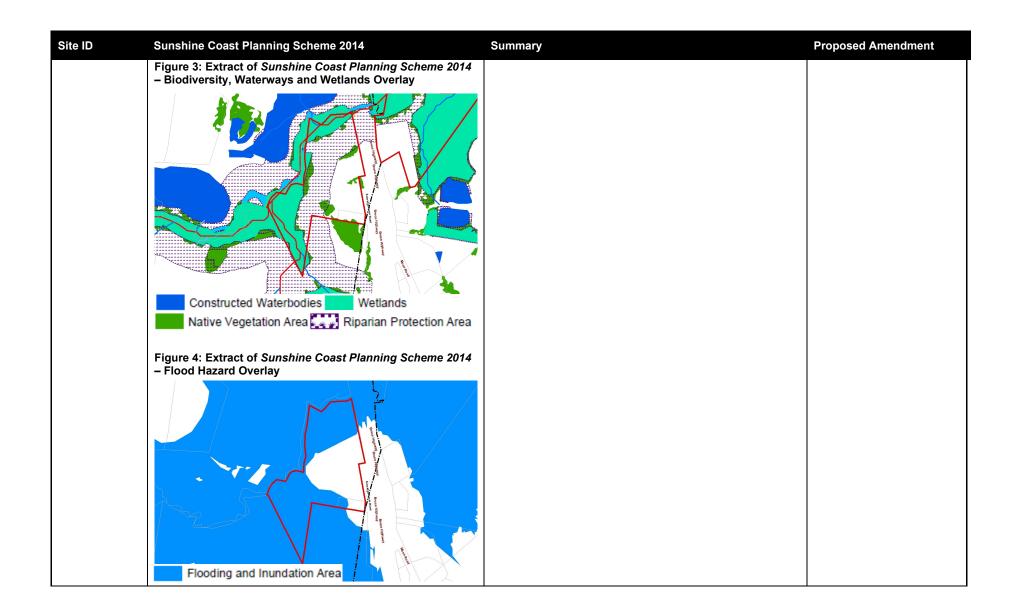
- 354 submissions (approximately 52%) indicated provisional or full support for the proposed planning scheme amendment; and
- 324 submissions (approximately 48%) either objected partially or completely objected to the proposed planning scheme amendment.

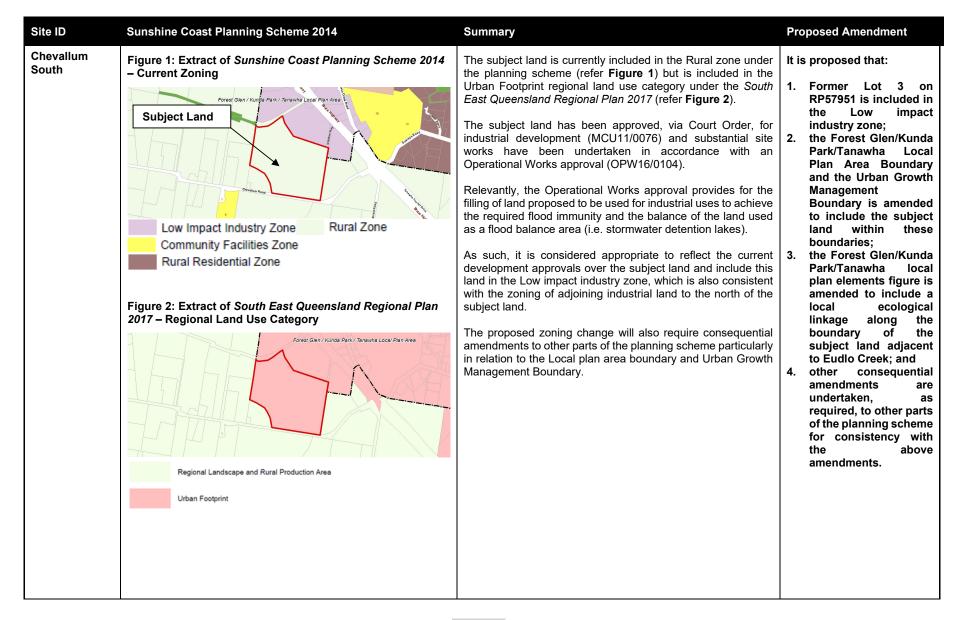
A consultation report has been prepared, which provides a summary of the matters raised in submissions and how these matters have been dealt with (refer to **Appendix 2 – Consultation Report**). A copy of the consultation report will be provided to each person who made a submission and will also been made available to view or download on Council's website.

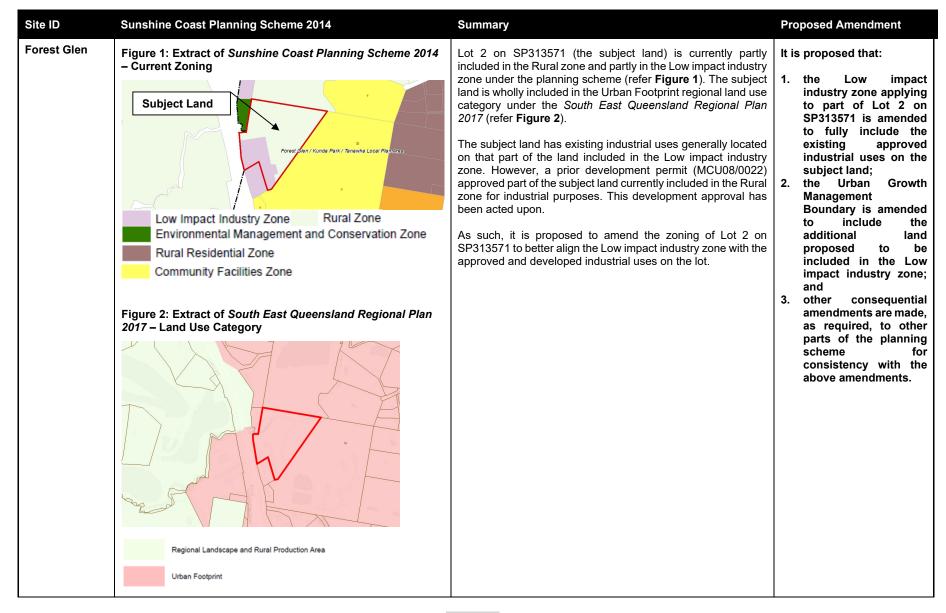
14. Background studies and reports

No additional background studies or reports have been prepared to inform the preparation of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted].









Summary

Currently located within the Rural zone, the subject land is located directly adjacent to the eastern boundary of the Landsborough local plan area (refer **Figure 1**). The subject land has been wholly included within the Urban Footprint regional land use category under the *South East Queensland Regional Plan 2017* (refer **Figure 2**).

The subject land comprises 13 individually owned lots with a total area of approximately 16 hectares, and is located approximately one kilometre from the Landsborough local centre. Mellum Creek forms the southern boundary of the subject land, with a rural residential estate located beyond. The Beerwah State Forest is located directly to the east and forms part of the Beerwah East Major Development Area (MDA) designated under the South East Queensland Regional Plan 2017. Relevantly, the subject land is bordered by the Landsborough Town East local plan precinct to the north and west (refer Figure 3).

A variety of rural and semi-industrial type uses are currently located within the subject land in close proximity to existing dwellings. This current land use arrangement reflects the subject land's historic rural zoning and location on the periphery of Landsborough township. However, the presence of the Beerwah East MDA, which if developed, will provide regionally significant residential and employment outcomes, provides an opportunity for the subject land to transition into residential uses.

The subject land is relatively unconstrained; however, portions of the land contain ecological features mapped by the Biodiversity, waterways and wetlands overlay (refer **Figure 4**). It is considered that any adverse impacts can be avoided or mitigated through sensitive subdivision design, with guidance from local plan elements and provisions as well as existing overlay code provisions.

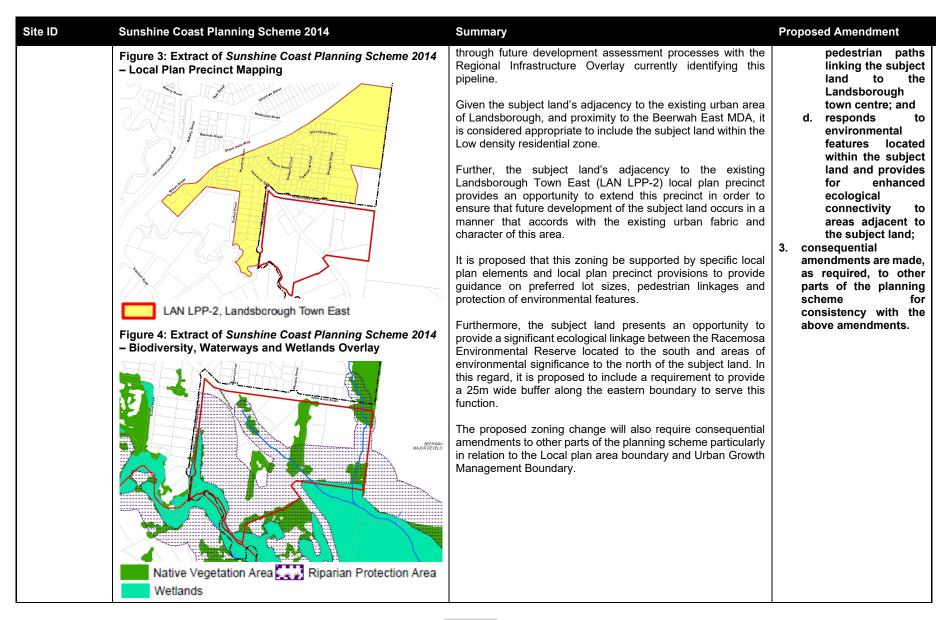
The subject land is noted as containing a section of the SEQwater Northern Pipe Interconnector, which traverses the subject land in a north-south alignment (refer **Figure 5**). While this may restrict the ability to construct dwellings or otherwise potentially reduce development yields in the vicinity of this pipeline, it is considered this constraint can be resolved

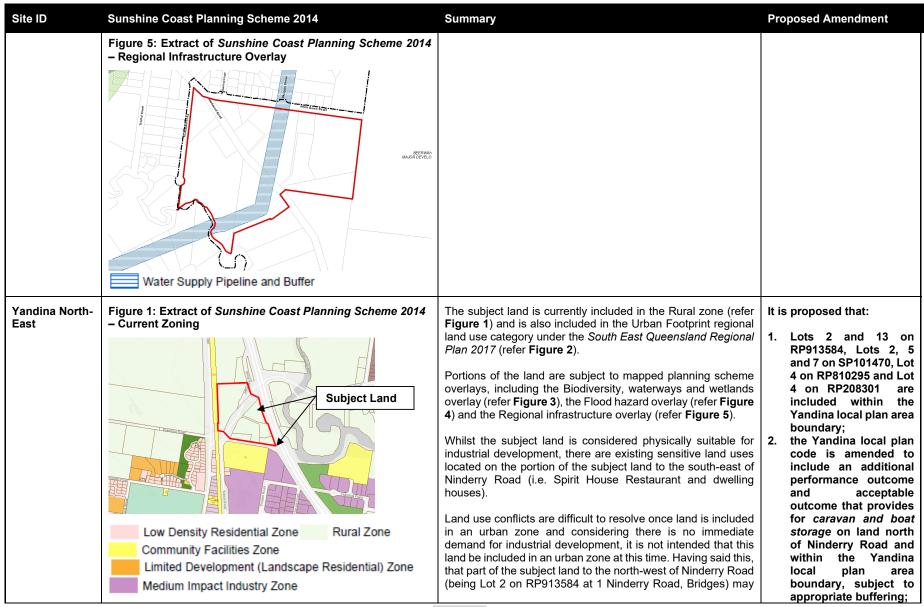
It is proposed that:

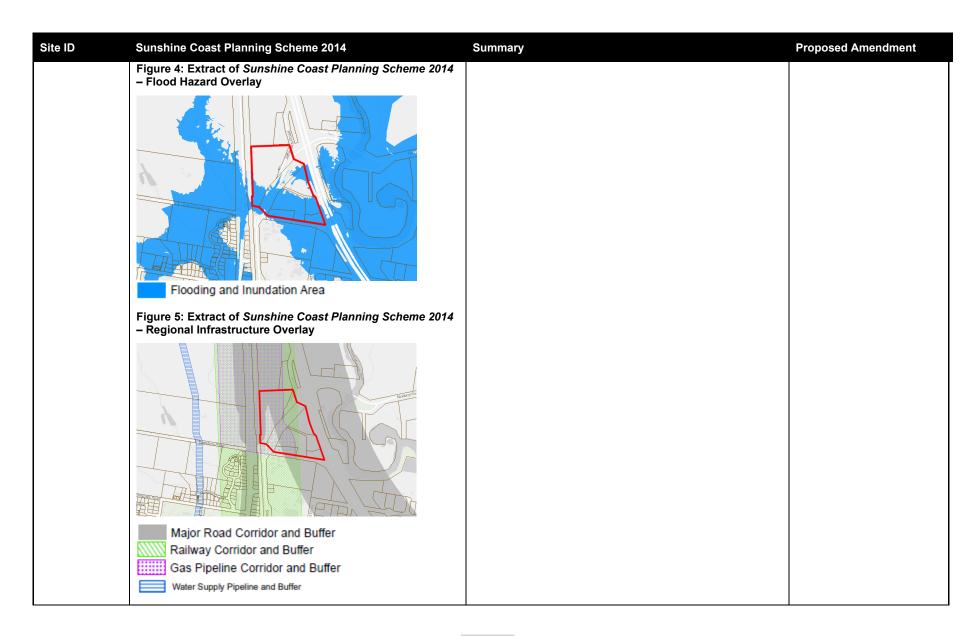
Proposed Amendment

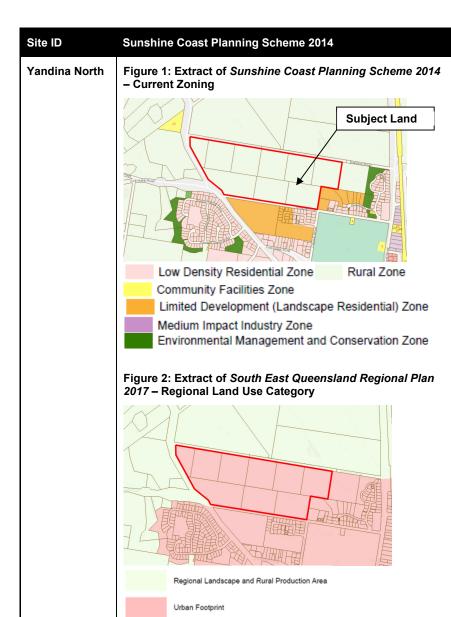
- 1. Lots 1 and 2 on SP217050. Lot 1 on RP171421. Lots 1 and 2 on RP213979. Lot 1 on RP171420. Lots 1. 2 and 3 on RP180992. Lot 1 on RP185758, Lots 2, 3 and 4 on RP183962 are included within the Low density residential zone and are included within the existing local plan precinct. LPP-2 LAN (Landsborough Town East):
- 2. the Landsborough local plan code is amended to include suitable provisions to ensure development within local plan precinct, Precinct LAN LPP-2 (Landsborough Town East):
 - a. includes a new minimum lot size of 800m² for lots created between Forestdale Road and Hardwood Road;
 - b. nominates
 secondary
 dwelling and dual
 occupancy lots on
 a plan of
 development;
 - c. contributes to the provision of cycleways and

Urban Footprint









Summary

Comprising 9 lots with a total area of approximately 36 hectares, the subject land is located immediately north of the Yandina local plan area, between Brandons Road to the north and Steggalls Road to the south (refer **Figure 1**). The subject land has been wholly included within the Urban Footprint regional land use category under the *South East Queensland Regional Plan 2017* (refer **Figure 2**).

The land is predominantly unconstrained; however, there are some localised exceptions, particularly with respect to vegetation, bushfire and flooding constraints.

Lot 294 on C311603 is mapped as being entirely subject to the *Native Vegetation Area* within the Biodiversity, waterways and wetlands overlay (refer **Figure 3**). To a lesser extent, 15-33 Brandons Road (Lot 937 on C311485) is also affected by riparian vegetation associated with a tributary of the North Maroochy River. It is noted that the Bushfire hazard overlay reflects the extent of *Native Vegetation Area* mapping (refer **Figure 4**), with a buffer area extending into adjacent lots.

The presence of several cane drains across the subject land is also noted, which may contribute to localised flooding during storm events. Lot 293 on C311603 is also identified as being subject to the Flood hazard overlay; however, not to the extent that would completely preclude further development from occurring (refer **Figure 5**).

The subject land is considered to represent a logical extension to the Yandina local plan area, given its location immediately adjoining the existing local plan area and relative ease of infrastructure provision and accessibility.

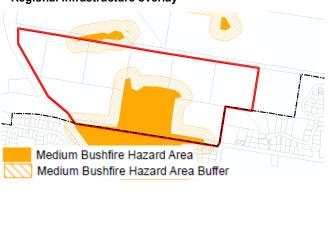
Moreover, owing to the subject land's historic use for agriculture, it is not highly fragmented and a number of lots are in common ownership. This further represents an opportunity to provide for a coordinated and integrated development outcome.

The subject land's inclusion in the Urban Footprint also provides an opportunity for the provision of a retirement/aged care facility to service Yandina, with representations made to council in this regard. The three north-eastern most lots, 35-

Proposed Amendment

It is proposed that:

- Lot 293 on C311603, Lots 300, 301 and 302 on CC311641 and Lot 342 on CG356 are included in the Low density residential zone;
- 2. Lots 224 and 225 on C311561 and Lot 299 on C311641 are included in the Community facilities zone and annotated 15. Residential care facility/Retirement facility;
- 3. Lot 294 on C311603 is included in the Limited development (landscape residential)
- 4. the Yandina local plan code is amended to include suitable provisions to ensure development within the Low density residential zone north of Steggalls Road:
 - a. provides a configuration of lot sizes that are consistent within the character of the nearby existing residential areas;
 - b. provides a transition in lot sizes to adjacent rural areas;



Summary

53, 55-73 and 75-93 Brandons Road (Lots 224 and 225 on C311561, Lot 299 on C311641) are proposed to be included within the Community facilities zone, and annotated for a residential care/retirement facility.

Given the extent and nature of constraints that apply to the site at 81 Steggalls Road (Lot 294 on C311603), it is proposed that this lot be included within the Limited development (landscape residential) zone. This zoning is consistent with similarly constrained land immediately to the south.

The balance of the subject land (Lot 293, Lot 300, 301 and 302 on C311641, and Lot 342 on CG356) is proposed to be included within the Low density residential zone, with a requirement for a lot size to generally reflect surrounding residential land.

It is proposed that the Low density residential zoned portion of the subject land is supported with specific local plan code provisions to:

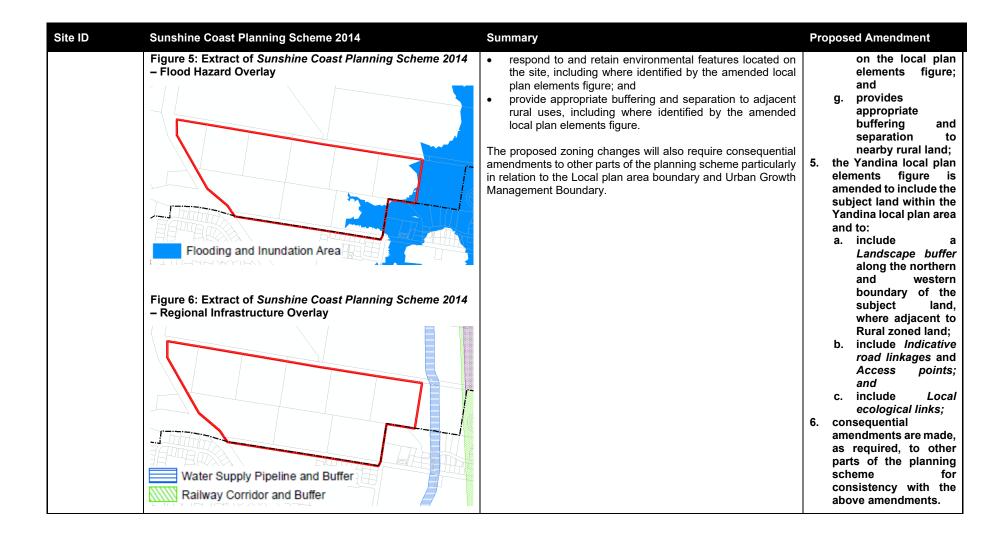
- require an average lot size of 800m², be used for predominantly single detached housing and to provide for a transition to adjacent rural areas. This is in addition to the existing local plan minimum lot size requirement of 700m² for the Low density residential zone;
- provide pedestrian and cycle links to the Yandina town centre.
- provide a safe, interconnected road network to service development, including where identified by the amended local plan elements figure; and
- provide appropriate buffering and separation to adjacent rural uses, including where identified by the amended local plan elements figure.

Similarly, it is also proposed that the portion of the subject land included within the Community facilities zone is also supported with specific local plan code provisions to:

- ensure the scale and intensity of development is compatible with rural town character;
- ensure development of the site occurs in accordance with an approved master plan;

Proposed Amendment

- c. minimises the risk to people and property from flood events;
- d. provides pedestrian and cycle links to the Yandina town centre;
- e. provides an appropriate road network including new connections specified on the local plan elements figure; and
- f. provides
 appropriate
 buffering and
 separation to
 nearby rural land;
- 5. the Yandina local plan code is amended to include an additional overall outcome, and suitable provisions to ensure development within the Community facilities zone south of Brandons Road:
 - a. is of a scale and intensity that is compatible with rural town character:
 - b. occurs in a coordinated and efficient manner;
 - c. responds to existing environmental features, including where identified



Appendix 2 – Consultation Report (Provided under separate cover)